

Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Establishment of a nuclear-weapon-free zone in the Middle East

Working paper submitted by the Islamic Republic of Iran

1. Article VII of the Treaty on the Non-Proliferation of Nuclear Weapons underlined the importance of the establishment of nuclear-weapon-free zones through the recognition of "the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories". The Islamic Republic of Iran, while welcoming the efforts for establishing such zones, firmly believes that the establishment of nuclear-weapon-free zones, however positive it may be, is not a substitute for the fulfilment of the legal obligations of the nuclear-weapon States under article VI of the Treaty and their unequivocal undertakings to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament. Accordingly, in parallel to the efforts to establish such zones, serious efforts are needed to establish a nuclear-weapon-free world through the total elimination of nuclear weapons worldwide.

2. The Islamic Republic of Iran attaches great importance to, and strongly supports, the establishment of a nuclear-weapon-free zone in the Middle East, an idea which was presented by Iran in 1974. As a party to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (1925 Geneva Protocol), the Non-Proliferation Treaty, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Biological Weapons Convention) and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention), and a signatory to the Comprehensive Nuclear-Test-Ban Treaty, and by having in place an Agreement with the International Atomic Energy Agency (IAEA) for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, based on which all of its nuclear facilities are under the safeguards of the Agency, Iran has a high record of accession, among the Middle Eastern countries, to the international instruments banning weapons of mass destruction. This, indeed, is a clear manifestation of the firm commitment of Iran to the cause of nuclear disarmament and non-proliferation, as well as the realization of a nuclear-weapon-free zone in the Middle East. It also testifies to how strong the



commitment of Iran is to achieving the objective of the prohibition of the development, production, stockpiling, use or threat of use of weapons of mass destruction, in the Middle East in particular and at the global level in general.

3. Iran supported the adoption, by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, of the resolution on the Middle East, which is an essential and integral element of the outcome of the 1995 Conference and of the basis on which the Treaty was indefinitely extended without a vote in 1995. For the same reason, since 1995, Iran has always called for the early implementation of this resolution and the full realization of its goals and objectives. Similarly, it was also on the same grounds that Iran supported the adoption, in 2010, of a plan of action on the implementation of the 1995 resolution on the Middle East.

4. Iran expresses its deepest concern over the persistent and long delay in the implementation of the 1995 resolution and the lack of any progress in the implementation of the respective plan of action of the 2010 Review Conference. Iran stresses that, as reaffirmed by successive Review Conferences since 1995, the resolution remains valid until its goals and objectives are achieved. This, without a doubt, is the individual and collective responsibility of all States parties to the Treaty, in particular the nuclear-weapon States, especially the three depositary States of the Treaty that co-sponsored the 1995 resolution on the Middle East. It should be recalled that the conclusions and recommendations for follow-on actions of the 2010 Review Conference clearly stipulated that "the States parties renew their resolve to undertake, individually and collectively, all necessary measures aimed at its prompt implementation".

5. The adoption of the 2010 plan of action on the implementation of the 1995 resolution on the Middle East, which called for the convening of a conference in 2012 on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, taking the 1995 resolution as its terms of reference, although very late, was indeed the right decision in the right direction. Iran supported the adoption of that plan of action and subsequently called for its timely implementation. In addition to conducting several rounds of consultations with the facilitator of the conference, on 6 November 2012, Iran officially declared its decision to participate in that conference, which had been scheduled to be held in December 2012 in Helsinki.

6. However, not only was the 2010 plan of action on the implementation of the 1995 resolution on the Middle East not implemented and, consequently, the 2012 conference not convened, but in addition, the 2015 Review Conference was unable to reach an agreement on its outcome document because of the objection of only the United States of America, the United Kingdom of Great Britain and Northern Ireland and Canada to a decision contained therein on the implementation of the 2010 plan of action on the Middle East. In other words, like the 2005 Review Conference, the 2015 Review Conference failed only because of the objection of certain countries to a decision on the establishment of a nuclear-weapon-free zone in the Middle East.

7. Now, 22 years after the adoption of the 1995 resolution on the Middle East and seven years after the adoption of the 2010 action plan for the implementation of that resolution, and despite the strong support of the overwhelming majority of the States parties, as well as the efforts by Iran and all Arab countries in the region for their implementation, there are valid questions: why were they not implemented, and why have all the efforts under the 2005 and 2015 Review Conferences for their implementation failed? The answer is clear: Israel, which is the only non-party to the Treaty in the region and also possesses nuclear weapons and has unsafeguarded

nuclear facilities and activities, is the main and the only obstacle to the establishment of such a zone. In addition, in practice, certain parties to the Treaty, by representing the Israeli regime in the review conferences, in which Israel has no right to vote because it is not a party to the Treaty, object to decisions on the actual realization of this zone. It is also worth noting that only when those parties deem it necessary for the Review Conference to succeed, as was the case in 1995 and 2010, do they agree with its decisions on the Middle East zone, and when they do not think so, as in 2005 and 2015, they object to such decisions. Similarly, their policies and practices have proved that they agree only with taking such decisions on paper but not with their actual implementation.

8. As an example, just hours after the adoption of the 2010 action plan, which, after 15 years of delay, was the first decision on the implementation of the 1995 resolution on the Middle East, one of the co-sponsors of the 1995 resolution and the co-conveners of the 2012 conference issued an official statement, dated 28 May 2010, in which it clearly set new conditions for the implementation of the 2010 action plan and stated:

Despite our agreement to the final document, we have serious reservations about one aspect of the Middle East resolution it contains. The final document includes an agreement to hold a regional conference in 2012 to discuss issues relevant to a Middle East zone free of weapons of mass destruction (WMD) and their delivery systems. The United States has long supported such a zone, although **our view is that a comprehensive and durable peace in the region and full compliance by all regional states with their arms control and non-proliferation obligations are essential precursors for its establishment.** Just as our commitment to seek peace and security of a world without nuclear weapons will not be reached quickly, the US understands that a WMD free zone in the Middle East is a long-term goal. (emphasis added)

9. On the other hand, one day after the conclusion of the 2010 Review Conference, the Israeli regime, in its statement dated 29 May 2010, rejected outright the Final Document of that Conference as "deeply flawed" and stated that "Israel will not be able to take part in its implementation". Moreover, it took 16 months for the co-conveners of the 2012 conference to declare, on 14 October 2011, the appointment of the facilitator and the designation of the host Government for the conference. Nevertheless, even though Iran and all Arab countries had officially declared their decisions to participate in the 2012 conference, on 23 November 2012, one of the co-conveners of the conference announced that the conference could not be convened, and it "would not support a conference in which any regional State would be subject to pressure or isolation".

10. Subsequently, during the 2015 Review Conference, Israeli officials expressed concern over taking any decision by the Conference "to force Israel to come clean on its nuclear capabilities" as a step towards establishing a nuclear-weapon-free zone in the Middle East. In order to avoid that, Israel placed the United States under pressure to block such a decision. When the United States, along with the United Kingdom and Canada, objected to the outcome document of the Conference, which contained a decision on the implementation of the 1995 resolution and the 2010 action plan on the Middle East, the Israeli Prime Minister thanked the President of the United States for such action in support of Israel.

11. But why was the Israeli regime not willing to support the establishment of a nuclear-weapon-free zone in the Middle East and why is it still not willing to do so? First and foremost, because this requires the prompt and unconditional accession of Israel as a non-nuclear-weapon party to the Non-Proliferation Treaty, renouncing possession of its nuclear weapons and placing all of its clandestine nuclear activities

and facilities under the comprehensive IAEA safeguards. This, without a doubt, is in clear contradiction of the security and military strategies of this regime that is founded on possessing highly sophisticated conventional weapons and all types of weapons of mass destruction, in particular nuclear weapons.

12. Moreover, a short look at the practices of the Israeli regime in the Middle East and its record in the field of disarmament and international security provides a clear picture of the seriousness of the security threat posed by this regime against the peace and security of the States parties to the Treaty in the Middle East. It also proves, once again, how essential and urgent the establishment of a Middle East zone free of nuclear and all other weapons of mass destruction is for the maintenance of peace and security in the region and beyond. That record includes, but is not limited to, the following: since its inception, the Israeli regime has waged 17 wars, which means 1 war almost every four years; committed aggression against all of its neighbours, without exception; attacked several other non-neighbouring countries in the region and beyond; attacked the peaceful nuclear installations of two States parties to the Treaty in the Middle East (in one case of which the Security Council strongly condemned the military attack by Israel as a clear violation of the Charter of the United Nations and the norms of international conduct); threatened to attack the peaceful nuclear facilities of States parties to the Treaty in the region that are under IAEA safeguards; still has under occupation the territories of several neighbouring countries, as it is called, in United Nations resolutions, the "occupying Power"; is not party to the Non-Proliferation Treaty or any other international instrument banning weapons of mass destruction, in defiance of repeated calls, including by the Security Council, the General Assembly, the General Conference of IAEA, the review conferences of the parties to the Non-Proliferation Treaty, the summit and ministerial conferences of the Non-Aligned Movement and the Organization of Islamic Cooperation; and is the only one in the region that is estimated to possess all types of weapons of mass destruction, including hundreds of nuclear warheads.

13. In addition, such realities make it completely clear that the only way to establish a nuclear-weapon-free zone in the Middle East is for the international community to exert and maintain sustained pressure on the Israeli regime to compel it to accede, promptly and unconditionally, as a non-nuclear-weapon party to the Non-Proliferation Treaty and to place all of its nuclear activities and installations under the full-scope IAEA safeguards. This approach was acknowledged by the 2000 and 2010 Review Conferences, which reaffirmed "the importance of Israel's accession to the Non-Proliferation Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards in realizing the goal of universal adherence to the Treaty in the Middle East".

14. Iran stresses that the realization of the fundamental objectives of the Treaty requires, in addition to the full and non-discriminatory implementation of all obligations under this instrument, the prompt and full implementation of the decisions taken by the Review Conferences, in particular the 1995 resolution on the Middle East, which is an essential and integral element of the outcome of the 1995 Conference and of the basis on which the Treaty was indefinitely extended without a vote. The 2000 and 2010 Review Conferences also reaffirmed the importance of the resolution and the full realization of its goals and objectives, and its validity until its objectives are achieved.

15. Accordingly, and given that, within the context of the conclusions and recommendations for follow-on actions of the 2010 Review Conference, all States parties renewed their resolve to undertake, individually and collectively, all necessary measures aimed at the prompt implementation of the 1995 resolution on the Middle East, they are urged to intensify their efforts during the 2020 Review Conference, *inter alia*, through adopting a concrete decision on the prompt

implementation of the 1995 resolution and the 2010 plan of action on the Middle East.

16. In this context, Iran invites the 2020 Review Conference to establish a subsidiary body under its Main Committee II to consider the urgent implementation of the 1995 resolution and the 2010 plan of action on the Middle East and, building upon past experiences, to agree on concrete steps for their speedy implementation.

17. Iran also proposes the following elements for inclusion in the Final Document of the 2020 Review Conference:

Reaffirming the urgent need for the prompt and full implementation of the 1995 resolution and the 2010 plan of action on the Middle East;

Renewing the strong resolve of all States parties to the Non-Proliferation Treaty to undertake all necessary measures aimed at the prompt and full implementation of the 1995 resolution and the 2010 plan of action on the Middle East;

Expressing deepest concern over the fact that the refusal of Israel is the main and only obstacle to the implementation of the 1995 resolution and the 2010 plan of action on the Middle East;

Reaffirming, as it did in 2000 and 2010, the importance of the accession of Israel to the Non-Proliferation Treaty and the placement of all of its nuclear activities and facilities under the comprehensive IAEA safeguards in realizing the goal of universal adherence to the Treaty in the Middle East;

Deciding to establish a standing committee, comprising the members of its Bureau, to follow up on the implementation of the recommendations of the Review Conference concerning the prompt accession of Israel to the Non-Proliferation Treaty and the placement of all of its nuclear activities and facilities under the full-scope IAEA safeguards, and to report to the 2025 Review Conference and its Preparatory Committee meetings;

Reaffirming the commitment of all States parties to the effective prohibition of the transfer of all nuclear-related equipment, information, materials and facilities, resources or devices and the extension of know-how or any kind of assistance in the nuclear, scientific or technological fields to Israel so long as it remains a non-party to the Treaty and has not placed all of its nuclear activities and facilities under the full-scope IAEA safeguards.